

REMARKS

This is in full and timely response the Office Action mailed on March 22, 2007.

Claims 44-67 are currently pending in this application, with claim 44 being independent.

No new matter has been added.

Reexamination in light of the following remarks is respectfully requested.

Rejection of the claims

Paragraph 2 of the Office Action includes a rejection of claims 1, 4-7, 15, and 18-21 under 35 U.S.C. §103 as allegedly being unpatentable over U.S. Patent No. 6,272,097 to Nakao et al. (Nakao) in view of U.S. Patent No. 4,876,680 to Misawa et al. (Misawa).

Paragraph 3 of the Office Action includes a rejection of claims 8-14 and 22-28 under 35 U.S.C. §103 as allegedly being unpatentable over U.S. Patent No. 6,272,097 to Nakao et al. (Nakao) in view of U.S. Patent No. 4,876,680 to Misawa et al. (Misawa), and further in view of U.S. Patent No. 6,078,473 to Crane et al. (Crane).

These rejections are traversed at least for the following reasons.

As an initial matter, there is no concession as to the veracity of the assertions made within the Office Action of what is well known in the art.

Claims 1-15, 18-28 and 43 - While not conceding the propriety of this rejection and in order to advance the prosecution of the above-identified application, claims 1-15, 18-28 and 43 have been canceled.

Withdrawal of these rejections is respectfully requested.

Newly added claims

Claims 44-67 - Claims 45-67 are dependent upon claim 44. Claim 44 is drawn to an optical pickup apparatus comprising:

an optical member attached to an objective lens plate and a substrate, said optical member being between said objective lens plate and said substrate;

a mount member attached to a light source and said substrate, said mount member being between said light source and said substrate; and

a light receiving element attached to said substrate, said light receiving element being between said optical member and said substrate,

wherein said light beam emitted from said light source is illuminated through said objective lens plate onto a recording face of an optical disk, said light beam reflected by said recording face being received through said objective lens plate by said light receiving element.

Nakao, **Misawa**, and **Crane**, either individually or as a whole, fail to disclose, teach, or suggest a light receiving element attached to said substrate, said light receiving element being between said optical member and said substrate.

Allowance of the claims is respectfully requested.

Conclusion

For the foregoing reasons, all the claims now pending in the present application are allowable, and the present application is in condition for allowance. Accordingly, favorable reexamination and reconsideration of the application in light of the remarks is courteously solicited.

Extensions of time

Please treat any concurrent or future reply, requiring a petition for an extension of time under 37 C.F.R. §1.136, as incorporating a petition for extension of time for the appropriate length of time.

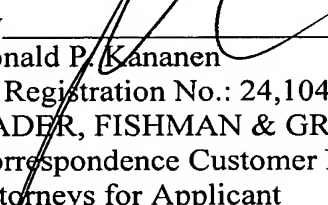
Fees

If any fee is required or any overpayment made, the Commissioner is hereby authorized to charge the fee or credit the overpayment to Deposit Account # 18-0013.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone Brian K. Dutton, Reg. No. 47,255, at 202-955-8753.

Dated: July 17, 2007

Respectfully submitted,

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